

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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Federal Communications Commission
Office of the Secretary

In the Matter of

Administration of Examinations for)
Amateur Radio Novice Class Operator)
Licenses in the Volunteer-Examiner)
Coordinator System)

RM No. _____

To: The Commission

Petition for Rule Making

W5YI-VEC, the first Volunteer-Examiner Coordinator (VEC) to be accepted by the FCC as a coordinator in all amateur call sign regions, by its counsel and pursuant to §1.401 of the FCC's rules, submits this petition for rule making. By this petition, W5YI-VEC seeks amendment of certain sections of Part 97, Subpart F, of the FCC's rules for the Amateur Radio Service, to incorporate examinations for the Novice Class Operator license into the VEC examination system.

Background

1. W5YI-VEC has served as a VEC since June of 1984. Today the W5YI-VEC organization consists of more than 11,000 accredited volunteer examiners who are organized into more than 700 amateur radio operator license testing teams around the globe. Approximately one-third of all examination elements administered under the VEC System are administered under the auspices of the W5YI-VEC. Last year, nearly

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34,000 examinees were administered over 60,000 examination elements at more than 3,200 test sessions coordinated by W5YI-VEC. As a result, some 20,000 applicants were issued new or upgraded amateur radio operator licenses. The W5YI-VEC and the American Radio Relay League VEC together account for approximately 80% of the operator license examinations administered in the VEC System.

2. The examination for the Novice Class operator license is not administered under the VEC System. In 1983, when the FCC began the process of delegating the entire amateur operator license examination function to the amateur community, the Novice Class examination function was already being performed by volunteers. The FCC was reluctant to alter this program for fear of impacting the ease of entry into the Amateur Radio Service which it afforded. Thus, when the VEC System was established, the Novice Class volunteer examination program continued as a separate program with only minor changes.

3. There have been significant developments in the Amateur Radio Service in the nine years since 1983 when the VEC System was established. The VEC system has proven itself to be efficient, competent and successful. The privileges of the Novice Class license have been enhanced. The Technician Class license has become a codeless entry

path into the Amateur Radio Service. In light of these developments, W5YI-VEC respectfully submits that the time has now come to incorporate the Novice Class volunteer examination program into the VEC System. Proposed rule revisions to accomplish this are contained in the appendix hereto.

Supporting Considerations

4. The privatization of the amateur operator license examination function from the government to the VEC System has turned out to be a success story, of which the FCC and the amateur community can rightfully be proud. In 1983, the FCC needed a way to make its Amateur Radio Service operator license privileges accessible to the public despite a shrinking agency budget. The VEC System was the answer. According to the FCC's statistics, in 1991, 103,251 applicants were served at 8,118 test sessions, an increase of 62% over the previous year. This is documentary proof that the unproven VEC System of 1983 has matured into a competent program, capable of handling a large volume of applications.

5. The Novice Class volunteer examination program, not part of the VEC System, is now badly out of step with the mainstream of amateur operator license testing. While the

VEC System has grown into an efficient, smoothly functioning operation, W5YI-VEC submits that the Novice program is now inefficient and susceptible to various irregularities.

6. For instance, there is no formal line of communications between the VECs (or the FCC, for that matter) and the volunteers who administer Novice Class operator examinations. If an FCC rule change requires deletion of a question from the Element 2 question pool, there is no established channel to communicate this fact to Novice Class operator examiners.

7. The VEC System employs processes to accredit each volunteer examiner, to coordinate test sessions, to screen applications for errors and to keep records of test sessions. The Novice system has none of these safeguards. Yet such mechanisms are necessary if waste, fraud and abuse in this government licensing program are to be prevented. As shown above, the VEC System has the capacity to handle the burden of an added category of examinations and the FCC should take the steps necessary to accomplish the last step in the transition to privatization of this function.

8. The recent creation of the codeless Technician Class license has had two significant effects that now virtually require the incorporation of the Novice Class

examination into the VEC System. First, Element 1(A), the 5 wpm code test, which was formerly associated with the Novice Class examination, has become part of the VEC System in cases where the applicant already has a Technician Class license. To become a Technician Class licensee, an applicant must take and pass two written test elements, Element 2 and 3A. In order to obtain HF telegraphy privileges, the applicant must upgrade to Technician Plus, by taking and passing Element 1(A). This examination is given in the VEC System, since it is not an examination for a Novice Class operator license.

9. Second, the codeless Technician has become a popular entry path into Amateur Radio. The 62% increase in applications mentioned above is due almost entirely to the adoption of the codeless Technician Class license. It is therefore fair to say that the Technician Class license has replaced the Novice Class license as the preferred entry-level license. The popularity of this license should demonstrate to the FCC that the concerns it had in 1983 about preserving the ease of entry into the service are groundless. Newcomers have flocked to the service via the Technician Class license, despite the fact that the examination setting is more formal than the Novice Class setting and despite the fact that they may be charged a modest fee to defray the cost of the examination.

Specific Proposals

10. The rules contained in the appendix, if adopted, would abolish the separate Novice Class examination program and place the examinations for all classes of Amateur Radio Service operator licenses under the VEC System.

11. To be accredited as a volunteer examiner for the Novice Class operator license, the volunteer would be required to hold at least a General Class amateur operator license. This is in accord with present requirements that volunteer examiners hold a license two classes up from that which they are administering.

12. Reimbursement of expenses for administration of the Novice Class examination would be allowed (but not required). As noted above, the present modest fees that may be charged for VEC System examinations have not deterred entry-level applicants from the codeless Technician Class license. Furthermore, applicants who take Element 1(A) after obtaining a Technician Class license are already subject to paying this small charge and FCC statistics suggest that this may well be the order in which most newcomers to the service will take this element.

13. In 1990, before the advent of the codeless

Technician Class license, there were 24,398 new Novices and only 2,707 new Technicians. In 1991, after the inception of the codeless Technician Class license in March, there were 13,640 new Novices and 24,446 new Technicians. The current trend is for twice as many newcomers to enter the service via the Technician Class license over the Novice Class license, despite the fact that there may be a fee assessed in connection with the Technician Class examination.

14. Reimbursement of expenses is also a way to assure the continued viability of the VEC System. Expense reimbursement has been allowed since very early in the program. While the expenses of the Novice examinations could probably be absorbed, the impact of doing so would no doubt be felt by the balance of the VEC System. The FCC should be very reluctant to create any adverse impact on a system that is working so well, especially where the dollar amounts involved (\$5.44 per examination maximum for 1992) are comparable to the prices of such recreational activities as movie theater admissions and the like. Nevertheless, W5YI-VEC wishes it clearly understood that it believes the Novice examination program should be incorporated into the VEC System regardless of whether or not reimbursement is allowed.

15. The effective date of the new rules should ideally

be January 1, 1993. The Question Pool Committee is presently working on extensive revisions of Elements 2 and 3(A), pursuant to the requirements of §97.523 for the VECs to maintain all question pools, including the Novice Class. At the last conference of all VECs, it was agreed that the new questions would be implemented on July 1, 1993. Since the questions must be in public circulation well before they are used on an examination and since the publishers of examination preparation materials require substantial lead time to revise and distribute their materials, the January 1, 1993 proposed effective date will provide a six-months lead-time period.

In view of the above, W5YI-VEC respectfully requests the FCC to issue a Notice of Proposed Rule Making as expeditiously as possible, proposing to revise Part 97, Subpart F of its rules, to incorporate the Novice examination program into the VEC System.

Respectfully submitted,

W5YI-VEC



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Appendix

Proposed Changes to Certain Sections of Part 97, Subpart F, of the FCC's Rules to Implement the Administration of Novice Class Operator License Examinations in the VEC System. Changes or additions to existing rules shown in boldface. Deletions from existing rules shown as ~~stricken~~.

§97.507 Preparing an examination.

* * *

(c) Each telegraphy message and each written question set administered to an examinee for a ~~Technician, General, Advanced or Amateur Extra Class~~ any class of operator license must be prepared, or obtained from a supplier, by the administering VEs according to instructions from the coordinating VEC.

(d) Deleted.

(e) Is redesignated (d).

§97.511 ~~Technician, General, Advanced and Amateur Extra Class~~ operator license examination Operator license examinations - all classes.

(a) Each session where an examination for a ~~Technician, General, Advanced or Amateur Extra Class~~ any class of operator license is administered must be coordinated by a VEC. Each administering VE must be accredited by the coordinating VEC.

(b) Each examination for a Novice Class operator license must be administered by 3 administering VEs, each of whom must hold an FCC-issued Amateur Extra, Advanced or General Class operator license.

(c) Each examination for a Technician Class operator license must be administered by 3 administering VEs, each of whom must hold an FCC-issued Amateur Extra or Advanced Class operator license.

(c) Is redesignated (d).

(e) The administering VEs must make a public announcement before administering an examination for ~~Technician, General, Advanced or Amateur Extra Class~~ any class of operator license. The number of candidates at any examination may be limited.

(e) Is redesignated (f).

(g) Within 10 days of the administration of a successful examination for the ~~Technician, General, Advanced or Amateur Extra Class~~ any class of operator license, the administering VEs must submit the application to the coordinating VEC. If telegraphy element credit is claimed under Section 97.505(a)(5), the physician's certification and the patient's release on the

license application, Form 610, must be completed.

(e) Is deleted.

\$97.513 Is deleted in its entirety.

\$97.521 VEC qualifications.

* * *

(c) Agree to coordinate examinations for ~~Technician, General, Advanced and Amateur Extra Class~~ all classes of operator licenses;

\$97.527 Reimbursement for expenses.

(a) VEs and VECs may be reimbursed by examinees for out-of-pocket expenses incurred in preparing, processing, administering or coordinating ~~an~~ any examination for an ~~a Technician, General, Advanced or Amateur Extra~~ operator license.

* * *

(c) Is deleted.

(d) Is redesignated (c).

(e) Is redesignated (d).

(f) Is redesignated (e).

(g) Is redesignated (f).